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HARRITY SNYDER, LLP 11350 Random Hills Road SUITE 600 FAIRFAX, VA 22030			SPOONER, LAMONT M	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## **DETAILED ACTION**

### ***Introduction***

1. This office action is in response to applicant's arguments filed 6/10/08. Claims 1-7, 9-19, 21, 22, 24-32, 41, 43 and 44 are currently pending and have been examined.

### ***Response to Arguments***

2. Applicant's arguments filed 7/14/08 have been fully considered but they are not persuasive.
3. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

More specifically, in response to applicant's arguments, "Shanahan et al. and Fernlev et al., whether taken alone or in any reasonable combination, do not disclose or suggest the combination of features recited in claim 1. For example, Shanahan et al. and Femle et al. do not disclose or suggest assigning scores to sentence endings, which include text that is located within identified sentences between a text fragment and an end of

the identified sentences, based, at least in part, on a location within the identified sentences at which the text fragment occurs, as recited in claim 1.... Nowhere in connection ..Fernley et al. disclose or suggest assigning scores to sentence endings. ...”

The Examiner cannot concur, wherein it appears the applicant is arguing a rejection based on Fernley alone, wherein the rejection is in combination with Shanahan. Close inspection of the rejection cites "wherein Fernley teaches assigning scores to the sentences based, at least in part, on a location within the identified sentences at which the text fragment occurs; and presenting the sentence endings as potential completions for the text fragment based, at least in part, on the scores (Fig. 2-his nodes representing Query, and nodes representing Documents, and rankings, see also [0056, 0068, 0075, 0076] wherein Fernley explicitly teaches scoring the sentences, based upon location of the text fragment relative to position within the sentence, and each word in the document is given a score based on relative position). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Shanahan's sentence endings with Fernley's scored sentences, providing the benefit of positional analysis for information retrieval (Fernley,

[0068])." which is clearly a combination of Shanahan and Fernley. Shanahan provides the sentence endings and Fernley provides the scoring of words in a sentence relative to position within the sentence. Thus applicants arguments are not persuasive. Furthermore, applicant argues p.4 paragraph 2, "Fernley et al. does not disclose or suggest that weights are..." Applicant does not claim "weights." Thus, the arguments are also unpersuasive.

In response to applicant's arguments regarding claim 30, p.30 paragraph 4 "Nowhere in connection with Fig. 2, or elsewhere, does Fernley et al. disclose or suggest means for assigning scores to sentence endings, associated with located sentences within documents that include at least some of a text fragment, based, at least in part, on a measure of popularity associated with the sentence endings, as recited in claim 30.", applicant has presented the arguments as discussed above and are also unpersuasive for the same reasons as discussed above regarding claim 1.

In response to applicant's arguments regarding claim 31, "Shanahan et al. and Femley et al. do not disclose or suggest one or more servers that are configured to trim one of the sentence completions, associated with located sentences within documents that are associated with a text

fragment, by dropping one or more words from the one of the sentence completions, as recited in claim 31." However, the Examiner cannot concur wherein Shanahan teaches "trim one of the sentence completions by dropping one or more words from one of the sentence completions (C.60 lines 41-44-his **cutting to a phrase completion from sentence require** the **dropping**, the Examiner notes, before the completion sentence can be cut, the completion must be determined, and then the one or more words removed-see snippet discussion below, C.57 lines 60-62, see also C.60 lines 45-57-his snippets from the sentences), further the Examiner notes the omission of Fernley, as each limitation has been addressed in the rejection, applicant's arguments are unpersuasive based on Shanahan as described above. Therefore, Shanahan teaches dropping one or more words from the one of the sentence completions. Wherein the cited sections of C.60 lines 41-62, from a suggested completion arises a snippet, thus from the completion, word(s) are dropped.

4. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck &*

Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). More specifically, in response to applicant's arguments regarding claim 41, "Veale does not disclose or suggest sentence completions that include text located within identified sentences between at least a portion of a fragment of text and an end of the identified sentences." The Examiner does not rely fully on Veale for the above limitation, the Examiner relies on the combination of Shanahan and Veale,

"As per claim 41, Shanahan teaches a computer device, comprising:  
a memory configured to store instructions (see claim 34); and  
a processor configured to execute the instructions in the memory to:  
obtain a fragment of text (see claim 34),  
search for documents that include at least a portion of the fragment of text (see claim 34, C.56 lines 55-63),  
identify sentences within the documents that include the at least the portion of the fragment of text (*ibid*),  
determine sentence completions as text located within with the identified sentences between the at least the portion of the text fragment of text and an end of the identified sentences (*ibid*), and

provide a plurality of the sentence completions (*ibid*, Fig. 46 item 4612) as potential completions for the fragment of text (*ibid*-his auto-completion suggestions, see claim 34).

Shanahan lacks teaching to, merge at least two of the sentence completions to form a single merged sentence completion, provide a plurality of the sentence completions, including the merged sentence completion as potential completions for the fragment of text.

However, Veale teaches merging at least two of the sentence completions to form a single merged sentence completion, provide a plurality of the sentence completions, including the merged sentence completion as potential completions for the fragment of text (C.21 line 35-C.22 line 7-his merging two sentence completions to form one complete sentence ending). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Shanahan's completion suggestions with Veale's merged completion suggestions, providing the benefit of providing a composite answer if required (Veale, *ibid*)." Therefore, it is the combination of Shanahan and Veale that teach the elements applicant argues is missing from Veale.

Regarding claims 44, and 9-11, the arguments are unpersuasive as they are based on their parent claims above which have been deemed unpersuasive as discussed above.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAMONT M. SPOONER whose telephone number is (571)272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571/272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Ims  
7/14/08

/Patrick N. Edouard/  
Supervisory Patent Examiner, Art Unit 2626

Application/Control Number: 10/697,333  
Art Unit: 2626

Page 10